

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
TUESDAY, APRIL 3, 2001  
9:30 A.M.**

Commissioners Present: Kathy Campbell, Chair  
Linda Steinman  
Bernie Heier  
Larry Hudkins

Commissioners Absent: Bob Workman, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Dave Kroeker, Budget & Fiscal Officer  
Don Thomas, County Engineer  
Larry Worrell, County Surveyor  
Steve Henrichsen, Special Projects Manager  
Mike Thew, Deputy County Attorney  
Dave Johnson, Deputy County Attorney  
Tim Genuchi, Accounting Operations Manager  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk  
Melissa Koci, County Clerk's Office

**AGENDA ITEM**

**1 REQUEST FOR REIMBURSEMENT OF EXPENSES - Kelly Moore Guenzel Handlos, Clerk of the District Court**

Kelly Moore Guenzel Handlos appeared and distributed documentation regarding Payment Voucher 621-010757, dated March 16, 2001 (Exhibit A). She reported the voucher is for the amount of \$1,542.76, which includes her expenses from May and August, 2000 and she would like to be reimbursed for the whole amount. Guenzel said all of the items were work related and in her budget for last year.

A County Attorney's opinion was requested seeking guidance as to how the County Clerk's office handles a claim that is past the 90 day time frame, per Nebraska State Statute §23-135. Campbell said the Board received a copy of the County Attorney's opinion and asked if anyone had any questions about the opinion.

Mike Thew, Deputy County Attorney, appeared and said the 90-day Statute is the one the County Clerk's office identified and the Board has denied claims on that basis on a number of occasions in the past. He said he has been unable to find any affirmative statement of law that says the County Board has the authority to approve a claim over 90 days. He said there was a case in 1923 in which the Court made a statement implying the Board can go back and settle a claim that is over 90 days old.

Board consensus to the claim being deducted from this year's budget.

Thew also reported Bruce Medcalf, County Clerk, questioned how claims are processed and if the claims are to be taken as is. He said when he wrote the opinion he did not see anything wrong with the County Clerk's staff making changes for clerical errors.

Medcalf appeared and asked if there is anything in writing which states specifically what his office may do with claims.

Campbell suggested a policy should be drafted to address what the County Clerk's responsibilities are.

Thew said if some of the problems are clerical in nature, it is okay to correct the items, but when there are discounts involved and offices exceeding their budget, there is some potential personal liability for the Board. He suggested putting together a list for the County Clerk on what things they can take care of and what things need to be brought to the Board's attention.

Medcalf indicated he would give a list of the clerical problems to the Board.

Kroeker asked about an office exceeding their budget.

Tim Genuchi, County Clerk's Office, appeared and said the accounting system won't let an item be posted if it is over what is budgeted.

## **ADDITIONS TO THE AGENDA**

Moved by Heier and seconded by Hudkins to add Item E regarding Refuse to the list of County Road projects to discuss. On call Heier, Hudkins, Steinman and Campbell voted aye. Motion carried.

### **2 COUNTY ROAD PROJECTS - Don Thomas, County Engineer; Larry Worrell, County Surveyor**

#### **A. Kawasaki Ramps, NW 27<sup>th</sup> Street & Hwy 34**

Don Thomas, County Engineer, appeared to discuss what money is available to build the ramps at Kawasaki and how the money will be handled.

Steve Henrichsen, Special Projects Manager, appeared and said the Planning Department has had 2 meetings with Kawasaki regarding roads and 6 or 7 meetings with them regarding water and sewer. He said the last item his office needs to discuss with Kawasaki is the road improvements to the ramps off of Hwy 34 and NW 27<sup>th</sup> Street on the west side of the plant, and Fletcher Avenue, which is on the south side of the plant.

Campbell said she assumed the project is a \$400,000 grant in which the County will front the money to Kawasaki and if there is a balance left over, the money will be applied to Kawasaki's balance to be used on road improvements. She said if the project exceeds the \$400,000, Kawasaki would have to come back to the Board for discussion and renegotiation. Campbell said she spoke with the Mayor regarding the Memorandum of Understanding which outlines the Kawasaki project and the Mayor agrees that any money left over should go to Kawasaki.

Henrichsen asked if the extra funds can be used on water, sewer or roads.

Dave Johnson, Deputy County Attorney, asked if the \$400,000 is for the cost of the ramps. He said his concern is where any extra money should go.

Hudkins said the extra money should go to road improvement only.

Campbell asked Johnson to modify the Letter of Memorandum and draw up a draft copy for the Mayor and Troy Gagner, Economic Development, so that everyone will be informed. She said once the Memorandum is ready a meeting should be set with Kawasaki, Don Thomas, Larry Hudkins, Dave Johnson and herself to discuss the Memorandum of Understanding.

Henrichsen indicated Planning is meeting with the Kawasaki staff on Thursday, April 5, 2001 and he could let them know that the excess funds can be used for road improvements only.

Thomas mentioned the State is contributing \$337,000 toward the ramps.

#### **D. Garner Industries, N 98<sup>th</sup> Street**

Thomas said the Garner Industries contract has been signed.

Regarding funding for this project, Kroeker said \$15,000 will be coming out of the County Engineer's budget and \$58,000 will come out of this year's contingency fund.

#### **B. Events Center, Havelock, East of N 84<sup>th</sup> Street**

Thomas said bids will be opened April 18, 2001 for all of the pavement work for the year, which includes the paving of Havelock Avenue. His guess is that it will be around \$80,000 to pave from 84<sup>th</sup> Street to the bridge, which is ½ mile.

Kroeker noted the Agricultural Society has \$65,000 in their budget, but it was his understanding that they need to bring the building up to code which will be an added expense.

Hudkins said Havelock Avenue is a major arterial road that is used by a lot of other people in addition to the Agricultural Society.

Campbell said she is willing to take \$80,000 out of the keno fund to pay for the paving of Havelock Avenue, as long as the Agricultural Society takes whatever money is needed out of their \$65,000 to make the codes improvements that need to be made to the building, and a letter needs to be sent to them regarding the monies.

**MOTION:** Moved by Steinman and seconded by Heier to send a letter to the Agricultural Society indicating the money they were going to use for the paving project be used for code improvements. On call Steinman, Hudkins, Heier and Campbell voted aye. Motion carried.

**A. UNL, NW 70<sup>th</sup> Street & Superior**

Thomas said the Board asked him to come back at mid-year to give them an idea of what the engineering costs would be for the project and see if the County Board wanted to fund the project prior to July 1, 2001 and a new budget year.

Campbell asked for a rough estimate of the costs for the project.

Thomas said his guess would be around \$200,000 to \$250,000 for the 2-mile project. He said it is around \$75,000 to grade a road, \$10,000 a mile for gravel, \$40,000 for the right-of-way with 100 ft. R-O-W and \$30,000 for the design.

Thomas said there is 1/4 mile of Adams Street to grade and then 1 3/4 mile to get back to where Rich Wiese lives.

Hudkins said the project is not on the One and Six Year Road and Bridge Improvement Program and is one that has been requested by several landowners for several years, but it hasn't been a priority. He believes the County needs to move forward with the project.

Thomas said for the first phase he would need \$30,000 for engineering services. He said as a result of the One & Six Year Road and Bridge Improvement Program there are three other dirt road requests which have to fit into the budget also.

Campbell asked how many landowners are on the 2-mile stretch. She also said she would like to know what the phasing is for the University of Nebraska's project. Campbell suggested setting up a staff meeting with Jim Griesen and Christine Jackson of UNL to discuss the timeline of the project.

Hudkins said he is willing to commit the additional funds in the County Engineer's budget if it is necessary.

Thomas said Adams Street will be part of the problem because there is ½ mile of acreages on one side.

Campbell indicated she would speak with Jim Griesen before the April 12<sup>th</sup> staff meeting to find out when they can come and speak with the Board regarding the NW 70<sup>th</sup> & Superior Street project.

#### **E. Refuse**

Heier reported he met with Mike Thurber regarding inmates cleaning out ditches if the County Engineer was agreeable. Thurber indicated to Heier that he has 5 or 6 inmates from the Trustee Department that could be utilized.

Thomas said the big issue would be supervision of the inmates and who would do it. He asked if the inmates needed supervision.

Campbell said it is a liability question for the County Attorney.

Heier asked if the County Engineer could provide a truck for the service.

Thomas said yes and said they could also do the Adopt-A-Road program and leave the trash on the side of the road for the County Engineer's office to pick up.

Hudkins said Corrections should also visit with the City of Lincoln also because there are streets in Lincoln that could be cleaned.

Thomas agreed to have Jim Egger meet with Mike Thurber and Bernie Heier to discuss the idea, how it would operate, what the costs would be and if the inmates need supervision.

#### **ADJOURNMENT:**

Heier moved and Steinman seconded to adjourn the Lancaster County Board of Commissioners Staff meeting. On call Hudkins, Steinman, Heier and Campbell voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk